TREATY FAVORS JAPAN of the State Department are hopeful BOSS GEORGE B. COX INDICTED GIRL TESTED FOR NEGRO BLOOD. before March 4. The President, it is understood, takes the attitude that the FT SENDS IT TO THE SENinterests of the Pacific Coast are fully ATE FOR CONSIDERATION. protected in the new treaty and that a

is unnecessary.

committee.

new agreement.

reiteration of the immigration provision

The new treaty was received by the

Senate to-day in executive session ac-

companied by a message from the Presi-

dent. The message, however, arrived

Some speculation is likely to arise as

to whether the omission of the immigra-

coast statesmen will probably be in-

only nine and a half legislative days re-

maining the appearance of the Japanese

treaty will put a heavy load upon that

force until it has been superseded by the

CAPT. KNIGHT IN TROUBLE.

Ranking Captain of the Navy to Be

Court-martialled for Carelessness.

WASHINGTON, Feb. 21. Capt. Austin

M. Knight, U.S. N. president of the spe-

Roads last November following an ord-

Capt. Knight was in charge of the ex-

than was expected by the naval ordnance

experts and an examination of the Puri-

tan made by divers after the test indi-

A civilian wrecking company is now

ing will probably ruin the boilers. ma-

chinery and auxiliary machinery, which

represent an expenditure of about \$150,-

operations, which will amount to about

\$25,000, will bring the total loss up to

circumstances Mr. Meyer has con-

Capt. Enight is at the top of the cap-

before a medical board for examination

for promotion to the rank of Rear Ad-

Admiral L. C. Heilner. His promotion.

Suspension for Two Days.

have decided to close it until Thursday,

when it will be determined whether it is

necessary to suspend studies for a longer

period. At present three of the fraternity

houses have been quarantined. Delta

Kappa Epsilon. Bera Theta Pi and the Madison Club. None of the students

is allowed to leave the village, a strict

an epidemic may develop. This is what

time the announcement is made that some

anonymous donor has given a sum suffi-

Utica has been named as chairman of a

committee to choose a site and select

plans for the new building, to be situated

planned to have the infirmary in opera-

TURTLE RACE AMUSES SHIP.

George Ade Starter and Simeon Ford

The Hamburg-American liner Moltke

got back yesterday from a cruise in the

Caribbean and on the Spanish Main, with

all hands sounding the praises of turtle

soup made from turtles killed aboard ship.

Among those who surrounded the soup

were Simeon Ford, who made some post-

prandial remarks about the turtles, and

George Ade, who will introduce a few in

age, held the reirs of the two contestants, which were called the Kaiser and Uncle Sam. A picture taken by the ship's pho-tographer shows the boys astride the rep-

iles each holding reins running from the

The ship's orchestra played a funeral march partly to suit the pace of the turtles and partly because they were within ore day of the soup, and they were of. The

Referce Soup Next Day

tion at the opening of college next fall.

Littea. Feb. 21. Several cases of scarlet

service or June 30, 1869.

authorities

ordering Capt. Knight's court-martial.

been blown in the hull.

about \$175,000.

have not yet been formulated.

progates Present Convention a Year thead of Time-Puts Japan on Her Honor About Sending Immigrants Here Drops Objectionable Clause.

WASHINGTON, Feb. 21.-President Taft only a few minutes before the adjournment of the Senate and was not read. to the Senate to-day an important w treaty of commerce and navigation ween the United States and Japan, tion provision amounts to a tacit obligasupersede the existing convention, tion on the part of this Government has been in force since July 17, not to enact expulsion laws. Such laws charge of perjury. The new treaty affords impressive of course will not be necessary as long as A warrant was served on Cox at his nment toward Japan

Not only has this Government yielded clined to speculate on the future. lapan's desire that the existing treaty terminated a year in advance of the date is expiration, but the United States s further shown its good will by omitng from the new convention a paragraph

the chief feature of the new treaty ares to this immigration clause. The en of the convention submitted to the nate to-day is to leave the problem of nanese immigration into this country turely to the honor of the Japanese overnment. That is practically the endition of affairs that has existed for e last two years, and the new treaty erefore proposes no change in the tual status of this question. It merely ops from the old treaty a meaningless rovision which has been obnoxious. hat provision is contained in the last aragraph of Article II. of the existing eaty It reads:

it is, however, understood that the stipu ons contained in this and the preceding nances and regulations with regard to age, the immigration of laborers, police and public security which are in force or th may hereafter be enacted in either

This provision was distasteful to Japan explosive of 200 pounds each were ignited that it put her in the attitude of sanc- against the turret armor and against the water line armor belt. The explosion oning indirectly in treaty form any posble exclusion act that the United States below the water line so seriously that it ight pass against the Japanese. Its sank shortly after the experiment. The mination does not surrender any right explosive developed far greater force at the United States has in this matr or reduce the present measure of pro-

The attitude of the State Department parently is that the present provision unnecessary and it has therefore opped it out by way of a friendly consion to Japan. The United States res upon the honor of the Japanese Govnment to continue in successful overathe present understanding which as resulted in the restriction of immigrafrom Japan to the Pacific coast in

is expected that the elimination of s provision, however, will arouse stuborn opposition from members of Coness from the Pacific coast States who doubtedly will be deluged by demands n their constituents that the new ty contain a stringent provision on is subject. At any rate it is likely revive in a measure anti-Japanese tation if only through a discussion as thrown a new subject into Congress iat is likely still further to complicate

legislative situation The present passport arrangement condling the immigration of Japanese to is country was entered into by Elihu oot when he was Secretary of State and Baron Takahira. That was at the time when the anti-Japanese sentiment was at ts height in California over the exclusion f a Japanese boy from a public school. he arrangement is based upon the desire f the Japanese Government to direct its eople to immigrate to Manchuria and ther parts of China. This was in effect te basis of the understanding by which he Japanese Government agreed to disntinue the issuance of passports to its ejects who were desirous to enter this

egotiations is that both governments have greed to the expiration of the old convenon on July 17 next, when the principal mmercial treaties between Japan and he countries of Europe will terminate. he existing treaty which is to be replaced as negotiated in the fall of 1891 by Miner Kurino and Secretary Gresham. At at time Japan was engaged in negotiat-

ountry.

og treaties of commerce with the Powers these conventions should run for the same ength of time. In the case of the treaty th the United States, however, there was some delay in its ratification, and it did not go into effect until July 17, 1899, me year after Japan's treaties of similar racter with European governments had become operative

dapan's treaties with the European Powers will therefore all expire this year As a matter of convenience in negotia ions and also by way of aiding Japan in he reorganization of her fiscal system. hat Government was very desirous of making a new treaty with the United states at the same time with the other owers. The State Department might are derived some advantage to this intry by insisting upon the full term twelve years for the new treaty, but the careful consideration it concluded at the request of Japan was altogether

in all of Japan's new treaties, including be one just submitted to the Senate, the biggest governments have relinquished a right to prevent Japan from raising a roce between two of the biggest turtles on the day after they were acquired by the chief steward at La Guayra. The his not done the same. I don't believe a court should be used for political purposes. They are supposed to be fair and impartial, and as for myself I ask nothing more than the chief steward at La Guayra. The racers were five feet long. William Gault, aged 8, and his brother James, 5 years of a general the historical purposes. e one just submitted to the Senate, the

Another point of difference between old and the new treaty relates to the antier in which they may be terminated. old convention was to be effective years and could be terminated by party upon one year's notice. w treaty may be terminated upon on the notice from either party.

of the immigration provision from treaty there will be a reiteration to make him hurry was ruled off the course. lapan of her intention to continue assport arrangement.

though there is little more than eek remaining in the present session ongress President Taft and officers

HEAD OF CINCINNATI MACHINE CHARGED WITH PERJURY.

He is Alleged to Have Sworn Falsely When Share of the Public Funds Interest Graft - tilves Bond for Appearance.

CINCINNATI, Feb. 21. George B. Cox. veteran Republican boss of Cincinnati, president of the Cincinnati Trust Company C. Joseph to determine whether the girl and theatrical promoter, was indicted is a white or a negro by the Grand Jury this afternoon on a

dence of the cordiality of this Gov. the present passport arrangement is office at the Cincinnati Trust Company, considered in the examination. satisfactory, but some of the Pacific Fourth and Walnut streets, late this afternoon

> The submission of the new treaty will tend also to complicate the State De- at the court house and gave a bond for partment's programme pending before the \$1,000 with Abe Funst, a well known poli-Foreign Relations Committee. Secretary tician and officeholder, as surety.
>
> Knox has already urged the ratification. It is believed that the Game

the old relating to immigration which the refunding of that country's public action is based on testimony given before is only one such line. s always been distasteful to the Japa- debt. That convention has been pending it yesterday by former County Treasurer now for more than two weeks and with John Gibson. Gibson was one of the Republican

In the event of Congress failing to act funds to the county after the Drake on the new Japanese treaty at this session | legislative investigation in 1906 had exthe old treaty probably will remain in posed the collection of such interest from banks favored with deposits of city and county funds

The charge of perjury is based on the may not fact that Cox, testifying before the Grand Jury in session on May 21, 1996, denied that he had ever received any of the illegal interest money collected by County cial board on ordnance, will be court- Treasurers.

martialled on charges growing out of the sinking of the monitor Puritan in Hampton he did receive \$18,500 and therefore must Williams we will prove that the girl is have violated the perjury statute in testi- white nance experiment. The detail for the fying as he did

court has not been made and the charges The penalty provided by law for perjury is a term of from three to ten years in

periment performed by direction of Congress to determine the explosive strength of nitrogelatine. Two charges of this

The indictment was returned before on the armor belt damaged the monitor Judge Frank Gorman late to-day after the Grand Jury had mysteriously adurned its morning session until 3 o'clock. The Grand Jury received special instructions from Judge Gorman, who is a recently on beginning its deliberations, and County Prosecutor cated that a hole eleven feet long had H. T. Hunt, reelected last fall on the Democratic ticket, has been active for some time getting evidence for its conengaged in raising the vessel. The sinksideration. Prosecutor Hunt was first elected as a reformer, and although the Cox following fought his reelection bitterly he won by a large majority 000. This together with the salvage Especially since his reelection he has been tireless in his efforts toward showing up alleged deticiencies in the administration of city and county affairs.

Immediately after the sinking of the The Drake legislative probe was stopped monitor a court of inquiry was appointed through injunction proceedings. by Secretary Meyer to investigate the Grand Jury of 1906 ruled that the acceptance of "gratuities" has been customary sidered this report for some time before and advised against prosecution

The three former County Treasurers tan's grade. He was recently ordered H. Gibson and Rud K. Hynicka, the latter named, however, Tilden R. French, John a veteran lieutenant of Cox, returned total of \$214,000 of the illegal interes money or "gratuities" to the county.

January 29 upon the retirement of Rear At the time of the investigation by the Gayman legislative committee Viv Fagin. however, has been held up pending the former deputy in the County Treasurer's creation of a new examining board. He office and later United States Marshal was formerly in command of the armored for this district, testified that he had carcruiser Washington. He is a native of Massachusetts, but was appointed to the ried envelopes to the office of George B. navy from Florida. He entered the Cox from the County Treasurer's office On one occasion, he testified, Treasurer French remarked after the delivery of an envelope: "George certainly likes the COLGATE UNIVERSITY CLOSED.

money Several Cases of Searlet Fever Cause a was also stopped by injunction proceed-

Mr. Cox to-night gave out the following fever have occurred among the students at Colgate and the university authorities statement to the public

As given out to-day, I have been indicte for perjury. That is only a pretence. consider my indictment a political indictment, done by a Democratic Judge who drew the Grand Jury from his inside pocket in stead of from the wheel which the law re-quired. The Grand Jury consists of Demorats and Mugwumps who call themselve Republicans. I ask the public to withhold criticism o

watch being maintained by the health judgment in my case until the facts are heard by public trial. I have lived in Many students have been exposed and Cincinnati for fifty-eight years. I have been in politics for thirty-four years. Tha the university and health authorities are don't consider any crime. Each and ever person has a right when he becomes endeavoring to prevent, and are bending years of age to judge which party he wishes to ally himself with. I saw fit to ally myall their energies to that end. Just at this self with the Republican party, which I am proud of, a right that every American cient to build, equip and maintain a colcitizen may have lege infirmary. Dr. F. R. Ford, '01, of

My supposed indictment was brough because of testimony that I gave to the Grand Jury in 1906. The statement I made before the Grand Jury at that time was on some remote part of the campus. It is absolutely correct. At this time I don't

care to correct it in any form. I have prided myself all my life on being truthful. It hurts me at this time to have my word questioned by a Democratic Judge, a Democratic prosecutor and irand Jury selected as I stated before.

I intend to remain in this community, the city of my birth, until such time at least that I can convince the public that the reputation I started out to make has been fulfilled to the people of the county of Hamilton. State of Ohio, regardless of Democratic interference.

I will be ready at any time to answer to the indictment whenever the court sees fit to set the trial. I believe that the public will give me a fair hearing before condemn-ing me, even if a jury, selected as I said. has not done the same. I don't believe They are supposed to be fair and impartial, and as for myself I ask nothing more than

Truck Ran Over a Boy. Crushing Him Into

the Pile. Six-year-old John Connolly of 311 East 135th street was run over by two wheels of a heavy truck yesterday afternoon and has only bruises to show for it When the driver jumped down expecting to find a boy crushed and probably dead Johnny arose to greet him from a pile of snow that the street cleaners had left. The friendly snow pile had received him, the weight of the truck merely pressing him into its denths. him into its depths

MANHATTAN'S MAIN GATEWAY
sylvania Station. 7th Avenue and 32d
st. All Pennsylvania Railroad trains to the
and South now run from the Heart of New
challength of the state of t

Johns Hopkins Doctors Try to Ald Court

in Case of Doubtful Aucestry. BALTIMORE, Feb. 21 -- Dr. John Whitridge Williams and several other staff physicians of Johns Hopkins Hospital to-day made an examination of Luella He Denied Having Received Any Leftridge, the eleven-year-old girl who

is trying to obtain her release from a negro institution in which she has been confined for nearly seven years. The examination was made for the court in which a writ of habeas corpus has been sued out by Attorney Daniel

The physical characteristics by which physicians profess to detect the presence of negro blood, but which are held by some authorities to be valueless, were

Dr Williams was unable to say whether if there is negro blood in the girl, it ex-Immediately following this he appeared tended back three generations or more. characteristics, said Dr. Williams "The and called to the men to ask what they only accepted test that I discovered is were about. They answered "It's all a dark line on one of the girl's finger right, lady; we're Holmes patrolmen and It is believed that the Grand Jury's nails around the half moon. There are trying to find a break in the alarm

"This discovery raises a doubt in my is merely a suspicion. There is no way for me to arrive at a definite conclusion amined two weeks before by two men who County Treasurers who returned a total The lawyers will have to fight the matter said they were linemen and also because of \$214,000 alleged illegal interest on county out. I think that in the light of the doubt, she knew every watchman on the block the lawyers will have to prove that all of the girl's ancestors were white before it can be removed.

"I don't know, if the negro blood is present, when it was infused. It may have suspicions to Thomas Smith, a watchbeen beyond the third generation and it man. He told her to go back and keep

Following the examination made by Dr Williams Attorney Joseph declared that there is to be no halt in the fight for the child's freedom. "She will be examined by other physicians," said Mr Joseph, "and I have no doubt that de-The present Grand Jury charges that some the finding of the dark line by Dr

Lucila Lettridge and her sister Elizabeth were placed in St. Elizabeth's Home Elizabeth Leftridge left the institution The jury action is the first criminal when she was 15 years old. She is now 19 proceeding ever directed against Cox and has been trying ever since she reached in connection with his rule of twenty-five the age of 18 to obtain her sister's release head at that moment busy at a reception years as boss of Cincinnati and Hamilton from the home, asserting that there is no negro blood in their veins

> ALDRICH MUCH IMPROVED. in Years.

BRUNSWICK, Ga., Feb. 21. Senator Nelson W. Aldrich of Rhode Island, who is spending the winter on Jekyl Island, has improved so much since his arrival at of outdoor recreations. He spends much time fishing and has made some notable but got no trace of intruders. catches.

The Senator has chartered a small steamer and several times a week he takes parties out on fishing excursions.

Senator Aldrich comes over to Bronswick frequently and he has made many friends here. This afternoon he was in Brunswick and while at the post office talked to quite a crowd about famous Georgians he had known in his long service in Congress.

He was specially laudatory of the late Henry G. Turner, who long represented this district in Congress. Senator Aldrich says he feels better than he has in years.

HIGH WEATHER

Sunshine All Over the Land Robins Back at Navesink Highlands The remarkable thing about yesterday

veather was that it was pretty much the same all over the continent. Hardly a town anywhere from the Atlantic to the Pacific and from Florida to the remotes 'anadian territory was without sunshine As James Scarr, the local prophet, said The crest of a high pressure dominated practically the entire country." was not a "low" on the map except away down on the ocean edge of lower California. It was the most brilliant winter day in years. The robins just south of us apparently thought that spring had come and at least one big flock got up to the Highlands of Navesink. The marine observer there reported hundreds of them circling his tower yesterday afternoon warbling joyously. At sunset they headed for the trees and disappeared.

EOPOLD'S WIDOW TO BE FREE Baroness Vaughan Declines Reconciliation With Durleux.

Paris, Feb. 21.-Mme. Durieux, for merly the Baroness Vaughan, widow of King Leopold of Belgium, who was mar ried to Emmanuel Durieux, a retired mer chant, on August 18 last, and who later sued for divorce, appeared in the divorce court to-day under the French law to have the court fry to effect a reconciliation with her husband if possible.

The Magistrate was unable to change Mme. Durieux's mind and the final decree will become effective in March

BURGLAR SEEN AND CAUGHT shots Stopped Him-Wore Police Captain's Watch and Overcoat.

A tenant of the apartment house at 603 West 139th street saw from a rear window a man climb up the fire escape at 601 West of 140th street yesterday afternoon and breaking the glass of the window on the fifth floor climb in. The tenant told the telephone operator of his own building about it and she passed the word along to the operator of the 140th street building. Janitor John Bozart and his assistant, George W. Keily, picked up re-

volvers and went up stairs.

They found the door of an unoccupied apartment jimmied, but the man was not in there, and they went on to the roof. in there, and they went on to the roof. There they saw a man come out of the window of the vacant apartment. With three shots fired in the air they scared him so that he waited for them to climb down and grab him. He said he was Joseph Stevens of 253 West 126th street. He had cleaned out the apartment of Edith Whittier and Marie Gueranters to the trained nurses. In his pockets ger, two trained nurses. In his pockets were fifteen pawn tickets. There have been several burglaries in

the neighborhood recently. One of these was in the apartment of Police Capt. Lincoln Gray who lives at 145th street and Broadway. A son of Capt. Gray last night identified the watch and the overcoat worn by Stevens as the property of coat worn by Stevens as the property of his father. Stevens, the police say, has served three terms for burglary.

BONDS & STOCK CERTIFICATES
Fagraved and printed by Coriles, Macy & Co.;
Inc., 10 John Street. Established 1857,—Ada.

BURGLAR HUNT AT W. A. CLARK'S

POLICE GO THROUGH HIS HOUSE AND JACOB H. SCHIFF'S. Find on a Roof Some Clothes Stolen From

Jacob Dreicer's Close By-Thought Art Gallery - Reception Guests Help. Mary Ryan, a servant in the home of A. E. Colfax, the lawyer, of 9 East Seventy- in this part of the country. seventh street, was on her way to bed at

out of an upper floor window and saw two men making their way along the one story extensions in the rear of the houses on Seventy-seventh street The men at the time were near the extension of ex-Senator William A. Clark's house, at No. 1. Mary opened a window

Wire mind as to the ancestry of the girl. It she knew that the wires had been ex-The servant wasn't satisfied because and was sure that the men on the roof

> were not any of them. She went to the street and told her watch while he notified the police. Smith called up the East Sixty-seventh street station and in no time at all Lieut. Scanion and twenty cops had surrounded the

Some of the policemen saw what they thought was a flash from an electric pocket lamp in the art gallery, but on searching the gallery they found nothing wrong. On the roof of the Clark garage they found some pieces of clothing and letters addressed to Henry Whitehead. for Negro Children about seven years ago a butler employed by Jacob Dreicer, a jeweller, living at 4 East Seventy-eighth street

The clothing also belonged to Whitegiven at the Dreicer home. The police decided that the thieves had got into Mr Dreicer's house and then had been fright ened away before getting further than Senator Says He Has Not Been So Well the room of the butler. Near the roof of the garage there were footprints in the

The policemen went into the homes of George Butler at 964 Fifth avenue, of Jekyl that he now engages in all sorts also into the house at 966, at the corner

Senator Clark is confined to his home with a slight cold. He was told of the excitement and his house was searched with no better success. Dr. L. R. Morris from Port of 155 West Fifty-eighth street. Senator Domingo. Clark's son-in-law, then joined in the search of the neighborhood, as did pretty houses, including the Dreicer guests.

There is a house going up at 21 East eventy-seventh street. The police believe that the men got into this building and from it to the extensions that run Lower East Side Better Able to Cope say. You will have to see my lawyers. from Madison avenue pretty well over to

Two weeks ago an attempt was made ourglars were scared away by servants Mrs. Clark, who was operated on for appendicitis last Monday, is improving n Roosevelt Hospital.

FLYNN RAIDS IN 12TH STREET Breaks Down Three Doors and Gets

Commissioner Flynn and a dozen of hi men led by Lieut. Collins broke into an alleged gambling house at 324 East I welfth street early this morning. place was one of the foreign variety like those along Sixth avenue, run supposedly by French Marx and recently interfered with by the police.

The police broke down three reenforced doors and surprised 125 men at the tables. There were games, the police say, of the schlager and baccarat variety. took eight prisoners on warrants issued by Chief Magistrate McAdoo, made out Cashier and the other principals of the aleatory fraternity

The same doorman was on the job whon the police have found at a number of other places of the foreign sort

ANTI-JEWISH OUTBREAK. Bernstein's Play at the Theatre Francal

All but Starts a Riot. Special Cable Despatch to THE SUN PARIS: Feb. 21. -The Theatre Français was a scene of disorder to-night. stein's play "Après Moi" attracted an

anti-Semitic crowd who frequently inwith the Jews!" and "Down with Bern Twenty arrests were made. Bernstein

was present and he accepted challenges to fight three duels. CUSTOM HOUSE MUSICALE.

Seized Phonographs Will Sing at the Auc tion Before They Are Sold.

The next auction of unclaimed articles

proposal is for a modern highway from that will be disposed of by Col. J. H. Storey, head of the seizure room of the public stores, will be to the accompaniment of ten imported phonographs. The machines play only disk records, and in the bunch that came with them across the sea are a number of operatic airs by Italian and French virtuosos, prime donne and primi tenori. The canned music has been in possession of the Colonel for one year, but he only recently

To That Governor of the New York Stock Exchange who sent out over the ticker a state ment that the international is a competitor of the American Bank Note Company, and that my assertions of monopoly are false, I commend a reading of the sworn testimony yesterday of Mr. Eckert, who testified that he was under a covenant entered into in 1902 as President of said international Bank Note Company to run it collusively in the Americaa's interest for five years at a salary of \$10,000, and thereafter to do nothing in the B: 1k Note trade for another five years at \$5,000 per year. Isn't it about time the Stock Exchange cleaned house? George H. Kondall. Adv. To That Governor of the New York Stock

WIRELESS BETWEEN SCHOOLS. DR. M'KIM AGREES NOT TO SUE M. I. T. Society's Station to Work With Other College Stations.

Boston, Feb. 21. Wireless communication among the Massachusetts Institute of Technology, Worcester Polytechnic Institute, Cornell University, Princeton, Pennsylvania and Columbia will be established by the M. I. T. Wirless So They Saw a Flashlight in the Clark, ciety as soon as the transmitting station

now being erected is completed. The wireless society of the Institute will have one of the most efficient stations

The society has an understanding with the navy yard that all sending from 11 o'clock last night when she glanced Technology will be stopped upon request of Government operators

> THE BABY POSTPONED IT. Its Yell When It Dropped the Milk Bottle Put Off Its Mother's Trial

Supreme Court. She entered the court room with a young baby in her arms while Justice Blanchard was busy talking to Assistant District Attorney Stickney Then the Judge began to read some papers and did not glance at the prisoner. The jury had been selected and the case was about to proceed to trial when the baby dropped its milk bottle on the floor and set up a vell.

fendant. After consulting with the Assistant District Attorney and the woman's lawver the Court decided that the case should not be tried at the present term. and it was taken from the calendar.

SUICIDE HIS OWN AFFAIR. Count Dismissed From the Army.

Special Cable Despatch to THE SUN. BERLIN. Feb. 21.-The finding of the military tribunal condemning Count Hans Pfell to dismissal from the army for attempting to commit suicide recently has been set aside by the Kaiser. In his held yesterday?" nemorandum in the case he says that the Count, in attempting to kill himself, is onscience.

His act is not the subject for any tri-

SEARCH FOR FILIBUSTERS. State Department Hears of Mystic Ship

and Calls On the Navy. WASHINGTON, Feb. 21. Several naval vessels now in the West Indies are engaged Jacob H. Schiff at 965 Fifth avenue, and in a search for a vessel which is supposed to be on a filibustering expedition. The of Seventy-eighth street, in the search, name of the vessel and her precise destina-

> Department. Reports have been received, however, indicating that the vessel intended to sail in his possession.
>
> It is understood that the sum involved from Porto Rico for either Hayti or Santo

The State Department got wind of the affair several days ago and immediately much everybody else in the nearby asked the Navy Department to instruct the vessels now in the West Indies to keep

> HIGH PRESSURE EXTENDED. With Fires Henceforth.

An extension of the high pressure fire Fire Commissioner. The area thus added Chambers and Houston streets, the Bowery | child. and the East River. It is the most dan gerous fire zone in the world because it is filled with tall unfireproofed tenements in which live many hundred thousands

High pressure hose carts will be put in the district, and it is planned to supplement all horse apparatus there with automobile vehicles. This will make it possible to respond to fire calls quicker thinks, in fewer accidents. At present some estate near Irvington, and it enough. The auto trucks will have special emergency brakes that will stop them in McKim. a very short space.

YALE '78 AT THE WHITE HOUSE, has secured a divorce from his present for John Dealer, John Marker, John The President to Entertain Former Classmates at Dinner on March 4.

WASHINGTON, Feb. 21 President Taft has invited the surviving members of the class of Yale '78, his own class, to be his guests at a dinner in the White House on the night of March 4. Invitations were sent to more than a hundred members of the class and acceptances have been received at the White House from practically all of the classmen of the President. The class of '78 originally numbered about 131 men.

PLANS FOR GREAT HIGHWAY.

\$2,000,000 to the State of Delaware. WILMINGTON, Del., Feb. 21.-T. Coleman du Pont, who has announced he will advance \$1,000,000 to the State for the construction of a highway the length of Delaware, to-day said that he will in crease the offer to \$2,000,000 if that amount hall be necessary. When he originally made the proposition he believed that

\$1,000,000 would cover the cost.

Del., on the Maryland boundary, on the south. The distance is 120 miles. Mr. du Pont reiterated his intention to charged that the plate was of brass and give \$100,000 outright, in any event, to that the engraving had been done by he State's good road fund, even if his a prisoner at the Worcester county jail offer to advance the \$2,000,000 shall not be accepted. Ex-Attorney-General Richards and ex-Judge Hastings, counsel for du Pont, are trying to evolve a plan under which the Legislature can page a bill. which the Legislature can pass a bill

sixty feet to 100 feet in width. It is to run

from the Pennsylvania line above Clay-

Iowa's Governor Vetoes Oregon Plan Bill. day vetoed the Oregon plan bill passed by the lowa Legislature by a large vote last week. Gov. Carroll takes the posi-tion that the Oregon plan is a plain eva-sion of the constitutional plan for electing United States Senators and therefore is

accepting the advance to the State.

PRICE TWO CENTS.

NO ALIENATION OF AFFECTION CASE AGAINST EMERSON.

Said Also That A. G. Vanderbilt Was Named as One of the Parties to the Agreement Consideration a Semi-

Annual Income and a Lump Sum. BALTIMORE, Feb. 21.-It was learned here to-day that an agreement has been signed in New York by which Dr. Smith Holins McKim for a valuable consideration binds himself not to institute proceedings for the alienation of the affections of his wife.

The other persons affected by the agreement are Dr. McKim's father-in-law, Dr. Isaac E. Emerson; his former wife, Dr. Rosa Karnesar, who is charged with Emerson's daughter, and Alfred G. Vanbeing a pickpocket, was to have been tried derbilt. The agreement was the result vesterday in the Criminal Branch of the of a conference held yesterday afternoon in the office of A. Hershfield of the law firm of Hays, Hershfield & Wolf, 118 Broadway, New York.

Papers were signed at this conference which released Mr. Vanderbilt, Mr. Emerson, his daughter and Mrs. Frederick McCormick from any legal action resultant from Mrs. McKim divorcing Glancing over his spectacles Justice her husband. Dr. McKim got a sum Blanchard for the first time saw the de- of money which will be paid in semiannual instalments as well as a lump sum which was awarded chiefly for counsel

When questioned to-day about the matter Mr. Hershfield said:

"I can say this much." he said. "that there has been consummated an arrange-The Kalser Won't Have Discouraged ment by which Dr. McKim has agreed to end all existing and possible litigation relative to the alleged alienation of his wife's affections. That is all."

"Have you any objections to stating whether this resulted from a conference

"I cannot see where that is important," he replied, "but I have no objection in responsible only to God and his own saying that this was consummated yes-

The agreement reached was the result bunal to pass on, and consequently the of a series of meetings that have been Kaiser orders the setting aside of the held for some time. Reports have been made from time to time that Dr. McKim intended to bring suit against Mr. Vanderbilt for alienation of his wife's affec-

Mrs. McKim and Mrs. McCormick were great friends and it is hinted that Capt. Emerson may marry Mrs. McCormick when he secures his divorce. Ex-Judge Morgan J. O'Brien, it is understood, aption are not definitely known at the State and Mrs. McCormick. It is understood that the paper which was signed was held

will be paid semi-annually and will be so payable until Dr. McKim's death. further understood that should Dr. McKim die within five years a sum of money is to be paid to his sister, but that if he should die after five years all payments shall

Dr. McKim when asked relative to the settlement said: "There is nothing I can

That Dr. Emerson should be involved in any proceedings relative to a posservice on the lower East Side was put sible alienation suit is not regarded as into operation vesterday at 8 o'clock in lunusual for those conversant with th the morning by an order issued by the affairs of the Emerson family know that Dr. Emerson is extremely fond of Mrs to the high pressure field is bounded by McKim, in fact that she is his favorite

But there was some surprise among those familiar with the case at the bringing in of the name of Mrs. Frederick McCormick. Inquiry relative to why Mrs. McCormick was mentioned brought from one of the attorneys who had figured in the case that Mrs. McCormick is a widow who has been living in Irvington, N. Y. Prior to their disand will result. Commissioner Waldo agreement the McKims owned a handmany children are run over in the streets | uderstood that Mrs. McCormick frequently because the horses cannot stop soon visited the McKim home and seemed to be on quite friendly terms with Mrs

There has been a hint that Capt. Emerson may marry Mrs. McCormick when he

Mrs. Margaret Emerson McKim ob tained an absolute divorce from Dr. Smith Hollins McKim at Reno last April. She accused Dr. McKim of cruelty and drunk-

enness Mrs. McKim was one of the three daugh ters of Isaac E. Emerson of Baltimore who made a fortune with a patent medi cine. She married Dr. McKim in 1902 They lived at Irvington from May, 1904, until July, 1908, summering at Newport and in the latter year came to New York stopping for a time at the Plaza. They separated in May, 1909.

The decree of divorce said nothing about terrupted the actors with cries of "Down T. Coleman du Pont Offers to Advance Mrs. McKim resuming her maiden name. and she said that there had been no

money settlement. It was rumored at one time that she would marry Alfred Vanderbilt after she obtained her divorce.

TAFT'S MEDAL SOLID GOLD. Slander Against Trainmen's Present to the President Refuted.

WORCESTER, Mass., Feb. 21.—That railroad medal for which President Taft came all the way to this city last April mont. Del., on the north, to Selbyville, has been tried and found not wanting. Since the presentation of the medal by the Trainmen of America it had been

committee, announced to-day that the medal was of 14 karat gold, three reputable Boston firms of jewellers and gold-smiths having determined the fact, while smiths having determined the fact, while a Providence jewelry house identified the medal as one that had been engraved

Mr. Doyle visited the county jail to-day and submitted the midal to Franch Hutchinson, the prister who was said to have engraved it. Hutchinson declared that never before had he can the medal or any part of it, although he had made three brass models for medals.